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November 23, 1983

Mr. Gary D. Boyn
Corporation Counsel
City of Elkhart
Municipal Building
229 South Second Street
Elkhart, IN 46516

RE: Your Letter of November 15, 1983

Dear Gary,

With respect to your letter of November 15, 1983, Durakool would like to point out that it has cooperated with each and every request made by the City of Elkhart and the State of Indiana to locate and eliminate the source of the TCE contamination of the South Main Water Field. To this end, Durakool has already spent out of its own pocket more than \$20,000.00 attempting to locate the source of the contamination and to quantify the magnitude of the contamination. We would also like to point out that Durakool has not used TCE in its manufacturing process for ten years, and the quantities of TCE used before that time in the Durakool manufacturing process were extremely small.

Based on the test results that have been developed to date by Clyde Williams & Associates, Inc. of South Bend, the following facts appear to have been established:

1. Of the TCE contamination discovered to date, more than 95% of the TCE concentration is not on Durakool property.
2. Of the contamination found on Durakool property, remedial measures to remove the contamination have been developed at Durakool's expense and suggested to the State of Indiana Department of Health.

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3. The TCE contamination found on Durakool property could not and would not have produced the levels of contamination found in the municipal water field.

4. The management of Durakool has pledged to remove, at Durakool's expense, all TCE contamination originating on Durakool property, and Durakool is waiting for further directions from the Indiana Department of Health in order to commence the clean up.

5. There has been a total failure to test other industries and sites immediately surrounding the municipal well field for possible TCE contamination, and Durakool believes that further testing of other surrounding areas should be made as soon as possible in order to insure that a satisfactory clean up for the problem is accomplished.

Given the above, Durakool will reiterate its position to eliminate any TCE contamination emanating from its property. However, it is obvious that Durakool cannot begin to eliminate the TCE problem without elimination of the pollution from other properties over which Durakool has no control.

The action of the Elkhart Water Works Board in installing interceptor wells was taken without any agreement from Durakool to pay for any such expense. It is our position that those expenses associated with installing and operating the interceptor wells should be borne by the City of Elkhart. It is also possible that the City may be reimbursed by EPA or the EPA super fund for its costs associated with the installation of the interceptor wells. Durakool indicated to the Water Works officials at the time the interceptor wells were installed that it did not believe that the interceptor wells were a satisfactory solution to the problem.

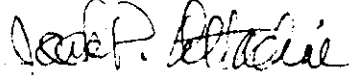
Lastly, the efforts of Durakool have been undertaken at its expense in an effort to be a good corporate citizen. Durakool does not believe that TCE contamination on its property has polluted the Main Street Municipal Well Field, and we would reserve the right to challenge the allegation that Durakool is the "source" of the pollution in any legal proceedings.

We earnestly hope that the City of Elkhart will continue to cooperate with Durakool and the Indiana Department of Health in eliminating the TCE contamination. However, if legal proceedings are initiated, we believe that the citizens of Elkhart

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will be the losers since protracted litigation will not result in elimination of the problem.

Very truly yours,


Jack P. Cittadine

JPC/ksd

cc: Elkhart Water Works Board
Board of Public Works and Safety
Mayor Eleanor Kesim
Mike Terlep
Jim Traylor, Indiana Dept. of Health
David D. Webster
George B. Bucklen